

Appln. No. 10/757,953
Amendment dated April 10, 2007
Reply to Office Action mailed January 31, 2007
Page 5

Remarks/Arguments

Claim Rejections

The Examiner has rejected Claims 1-69 under 35 U.S.C. § 102(b) as being anticipated by Makipaa and/or obvious under 35 U.S.C. § 103(a) as being unpatentable over Makipaa in view of Casey-Cholakis, and/or Stuppy and/or Simon and/or Miller et al. and/or Ziv-El and/or Munson et al. and/or Samph et al. Of particular interest herein is the Examiner's rejection of Claim 60-63 under 103(a) in view of the combination of Makipaa and Samph et al.

Response to Claim Rejections

To simplify the prosecution of this matter, Applicant has cancelled all claims with the exception of Claims 60-64. Claim 62 has been amended by placing it in independent form, i.e., amended Claim 62 represents the combination of old Claims 43, 44 and 62. Claim 60 has been amended to depend from Claim 62. Claim 64 has been amended to depend from Claim 61, rather than old Claim 44, which has been cancelled. Claims 62 and 63 have also been amended to more clearly state the claimed features. Applicants' attorney respectfully requests the Examiner to reconsider her position on these specific claims in light of the amendments and the following remarks.

Appln. No. 10/757,953
Amendment dated April 10, 2007
Reply to Office Action mailed January 31, 2007
Page 6

Amended Claim 62 is not obvious in light of Makipaa and Samph et al.

The present application as claimed in Claim 62 is directed to, "A method for providing training over a network, comprising the steps of ...presenting the general training data and the specific training data to the trainee over the network; (f) monitoring the training activities of trainees by storing information about the trainee's completion of training material in a database; and (g) timing the length of time which trainees **view** training data and comparing such length of time against a previously determined **minimum** time value."(emphasis added).

This comparison of the actual time spent viewing training data to a predetermined minimum time value can be used to ascertain if the user is going through the material too quickly, e.g., just mechanically "clicking through" rather than reviewing the information displayed as a consequence of "clicking". This concept of "anti-click through" is described in the specification of the present application at paragraph 0032. As claimed in Claim 63, the present invention can assert control over the user (to prevent "clicking through"), by displaying a message stating that the user is going too fast and holding the user back. The purpose of these claimed features is to prevent trainees (employees) from feigning completion of training by "clicking through" the course without actually reviewing or learning the content provided.

Appln. No. 10/757,953
Amendment dated April 10, 2007
Reply to Office Action mailed January 31, 2007
Page 7

The Samph et al. Patent

Samph et al., at column 18, line 58 - Col. 19, line 9, describes a method of timing a test. As is traditional in testing, the person tested is given a set (or **maximum**) time for completion. Part of the competency tested is the ability to complete a given test within a prescribed maximum time. In Samph et al., as in traditional testing, the time for completing the test will expire after the designated time regardless whether the person tested has completed answering the questions. As a result, those who complete the testing by answering all questions (accurately) will score higher than those who can not complete the questions in the given period.

The present invention, as claimed in Claim 62, compares viewing time against a standard **minimum** period for reviewing training content rather than comparing time elapsed from the start time of a test to a set **maximum** period for answering test questions. The claimed features of the present invention assure thorough review of content in a course of training rather than measuring the competency of a person to complete a test in a given time period. For the foregoing reasons, amended Claim 62 patentably distinguishes over the cited references, either alone or in combination.

The dependent claims are patentable over the references

The dependent claims are patentable due to their dependence from Claim 62, but also recite additional novel elements. For example, amended Claim 63 claims the step of displaying a message to the trainee to indicate that their length of time reviewing

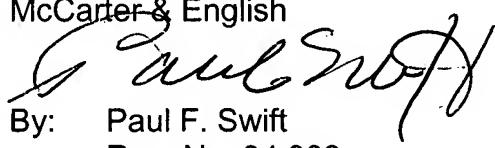
Appln. No. 10/757,953
Amendment dated April 10, 2007
Reply to Office Action mailed January 31, 2007
Page 8

training data is less than the minimum time value and requiring the trainee to spend additional time viewing the training data before they are able to continue to the next topic. These features are not disclosed in the proposed combination of Makipaa and Samph et al. Amended Claim 64 recites, displaying a series of indicators, such as a "checkmark" to indicate the parts that the trainee has completed, which is not shown in the proposed combination.

Applicants' attorney thanks the Examiner for her examination of this application. In view of the foregoing amendments and remarks, reconsideration and allowance of the claims is respectfully requested. If any questions remain that could be resolved by contacting the Applicants' attorney, the Examiner is invited to contact the attorney at the number indicated below.

No fees are thought to be due attributable to this amendment. If there are any fees due as a result of this Amendment, the Examiner is authorized to charge them to Deposit Account No. 503571.

Respectfully Submitted,

McCarter & English

By: Paul F. Swift
Reg. No. 34,938

McCarter & English
Four Gateway Center
100 Mulberry Street
Newark, NJ 07102
(973) 622-4444